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JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

OAKLEY, INC., a Washington corporation, and **OAKLEY SALES CORP.**, a Washington corporation,
Plaintiffs,

vs.

WAL-MART STORES, INC., a Delaware corporation, **SAM'S WEST, INC.**, an Arkansas corporation, **SAM'S EAST, INC.**, a Delaware corporation, and **PLAY BY PLAY SPORTS, INC.**, an Indiana corporation,

Defendants.

} Case No.: SACV 08-01357 CJC
(MLGx)

{ [PROPOSED] ORDER ON JOINT STIPULATION OF DISMISSAL

Plaintiffs Oakley, Inc., Oakley Sales Corp., and Play By Play Sports, Inc., pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii), have hereby stipulated before this Court to a joint dismissal of all claims and counterclaims, and corresponding defenses, in this action with prejudice, as the aforementioned parties have resolved and settled this action by and between themselves. Where Defendant Play By Play Sports, Inc. was the last remaining defendant in this action, the entire action, including all claims, counterclaims, and corresponding defenses, should be dismissed with prejudice.

WHEREFORE, this entire action is dismissed with prejudice, with each Party to bear its own costs, attorneys' fees and other litigation expenses.

IT IS SO ORDERED.

DATED: August 25, 2009

U.S. District Court Judge